

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	:	
	:	
THE REPUBLIC OF ECUADOR and PETROECUADOR,	:	
	:	04 CV 8378 (LBS)
Plaintiffs,	:	
	:	ECF CASE
- v. -	:	
	:	
CHEVRONTEXACO CORPORATION and	:	
TEXACO PETROLEUM COMPANY.	:	
	:	
Defendants.	:	
-----X	:	

**EXHIBITS IN SUPPORT OF THE REPUBLIC OF ECUADOR AND
PETROECUADOR'S MOTIONS FOR A PERMANENT STAY OF
ARBITRATION PROCEEDINGS, SUMMARY JUDGMENT, AND TO DISMISS
COUNTERCLAIMS UNDER RULE 12(b)**

Respectfully submitted by
Attorneys for the Republic of Ecuador and PetroEcuador
January 31, 2005

**List of Exhibits In Support of the Republic of Ecuador and PetroEcuador's Motions
For a Permanent Stay of Arbitration Proceedings, Summary Judgment and to
Dismiss Counterclaims under Rule 12(b)**

- A. CHT's Demand for Arbitration and Statement of Claim with the AAA
- B. 1965 NAPO Agreement b/w Texaco and Gulf
- C. 1973 Contract b/w Ecuador, Texaco and Gulf
- D. Translation of Clause 11 of 1969 Contract b/w Ecuador, Texaco, and Gulf together with 1969 Contract.
- E. Aguinda plaintiffs' original complaint filed in 1993
- F. Texaco's Jan. 7, 1998 brief to 2d Cir in Jota v. Texaco
- G. Judge Rakoff's 2001 decision dismissing the case on f.n.c. grounds.
- H. Second Circuit 2002 decision affirming Judge Rakoff.
- I. Affidavit of Cristobal Bonifaz (attesting that Lago Agrio case is same case that was originally filed as Aguinda v. Texaco, together with Complaint filed in Ecuador.)
- J. 1995 Implementation Agreement b/w Ecuador and Texaco
- K. 1998 Acta Finale b/w Ecuador and Texaco
- L. Memorandum Decision and Order. Lisa Margaret Smith United States Magistrate Judge Southern District of New York. June 19, 1995.
- M. *Phoenix Canada v. Texaco*, 658 F. Supp. 1061 (D.Del. 1987.)
- N. *Norsul Oil v. Texaco*, 703 F. Supp. 1520 (S.D. Fla. 1988.)
- O. Agreement Executed by the Government of Ecuador, CEPE, and Ecuadorian Gulf Company. May 27, 1977

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(Continues)

- P. *Official Registry of Ecuador* Number 469 January 10, 1974 Decree Number 09.
- Q. Agreement Entered into Between Ecuador, CEPE and Ecuadorian Gulf Company and Texaco Petroleum Company. June 14, 1974.
- R. *Official Registry of Ecuador* Number 590 July 8, 1974 Decree Number 666.
- S. *Official Registry of Ecuador* Number 656 October 10, 1974 Decree Number 1030.

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